IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

WP(Crl.).No. 274 of 2006(S)

PETITIONER:
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1. BALASUBRAMONIAM A.,
S/O.ARUMUGAM B., 39/65 A.T.T. COLONY,
BEHIND R.T.O. SOUTH, AVINASHI ROAD,
COIMBATORE.

2. ARUMUGAM B,, 39/65, A.T.T. COLONY,
BEHIND R.T.O. SOUTH, AVINASHI ROAD,
COIMBATORE.

3. INDIRA A.,
W/O.ARUMUGAM B., 39/65,
A.T.T. COLONY, BEHIND R.T.O. SOUTH,
AVINASHI ROAD, COIMBATORE.

BY ADV. SRI.P.VIJAYA BHANU
SRI.P.SANTHOSH (PODUVAL)

RESPONDENTS:
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1. THE SUPERINTENDENT OF POLICE,
PALAKKAD DISTRICT.

2. THE SUB INSPECTOR OF POLICE,
MALAMPUZHA, PALAKKAD DISTRICT.

3. SUBRAMONIAM, 237, POLLACHI MAIN ROAD,
SUNDARAPURAM, OPPOSITE MARKET,
COIMBATORE.

4. DANDAPANI, S/O.MUTHUKONAR,
RAJESWARI NILAYAM, THODAPPURA,
MANDHAKAD, MALAMPUZHA, PALAKKAD DISTRICT.

BY GOVT.PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 05/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & K.PADMANABHAN NAIR, JJ.

W.P.(Crl.).NO.274 OF 2006 (S)

Dated this the 5th day of December, 2006

J U D G M E N T

KOSHY,J.

This is a petition for Habeas Corpus alleging that the detenue is under illegal custody of respondents 3 and 4, parents of the detenue. This Court in earlier petition W.P.(Crl.). No.237/2006 directed the police to make discrete enquiry and find out whether she is under illegal custody. Police at that time got a statement also from the detenue who was residing in Coimbatore to the effect that she is not under illegal custody. According to petitioners statement was taken from the sister of the detenue and Police did not meet the detenue. To verify the same, we have directed the petitioners to produce the photographs of the alleged detenue. That was not produced. In any event, petitioners have no legal right over the alleged

detenue and custody of unmarried daughter with parents is not illegal. Hence this habeas corpus petition is dismissed.

J.B.KOSHY, JUDGE

K.PADMANABHAN NAIR, JUDGE

prp

J.B.KOSHY & K.PADMANABHAN NAIR, JJ.

O.P.NO. OF 2006 ()

J U D G M E N T

17th November, 2006